

Date: November 26, 2008  
W.I.: 1251, 1252, 1253, 1254, 1255  
Referred by: BATA Oversight

ABSTRACT

BATA Resolution No. 82

This resolution certifies the availability and authorizes the payment of \$80 million in Toll Bridge Funds authorized under Streets and Highway Section 30913 and 31010(b) to fund the South Access to the Golden Gate Bridge Construction Project (“Doyle Drive project”) and authorizes the Executive Director or his designee to enter into such contracts and agreements and to take such further actions under Streets and Highways Code sections 30913 and 30914 as the Executive Director deems necessary and appropriate to implement the Memorandum of Understanding between MTC, the Golden Gate Bridge, Highway and Transportation District (GGBHTD) and the San Francisco Transportation Authority (SFCTA) to fund the Doyle Drive project.

Discussion of this item can be found in the Deputy Executive Director memorandum to the BATA Oversight Committee dated November 5, 2008.

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BAY AREA TOLL AUTHORITY  
RESOLUTION NO. 82

WHEREAS, Streets and Highways Code Sections 30950 et seq. created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code §§ 30950 et seq. transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code §§ 30950.2 and 30886, BATA is responsible for the administration of all toll revenues from State-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward, and Dumbarton Bridges, and

WHEREAS, the California Department of Transportation has completed a Final Environmental Impact Statement/Report for the South Access to the Golden Gate Bridge Construction Project (“Doyle Drive project”) located in the city and county San Francisco , to improve the seismic, structural, and traffic safety of the facility; and

WHEREAS, MTC, GGBHTD, and SFCTA have developed a funding plan for the Doyle Drive project, which includes a commitment of \$80 million in funds to be provided by MTC for the Doyle Drive project, and GGBHTD, SFCTA, and MTC have developed and desire to enter into a Memorandum of Understanding (“MOU”), which defines the funding plan and establishes project management structures for the Doyle Drive project.

WHEREAS, findings by MTC and BATA are necessary to make funding available for the Doyle Drive project under Streets and Highways Code sections 30913 and 31010(b); and

WHEREAS, Streets and Highways Code section 31010(b) provides that funds generated from the \$1.00 seismic retrofit surcharge that are in excess of those needed to meet the toll commitment specified in Streets and Highways Code section 188.5(b)(4) (the “excess Section 31010 funds”) shall be available for funding, consistent with Streets and Highways Code sections 30913 and 30914, the purposes and projects described in those sections; and

WHEREAS, the Chief Financial Officer of BATA has determined, and BATA hereby finds, that the Section 188.5(b)(4) toll commitment of a principal obligation of \$2.282 billion has been paid from the \$1.00 seismic retrofit surcharge revenues and bond proceeds from bonds issued by the California Infrastructure and Economic Development Bank and the annual cost of the financing related to the refinancing of those bonds, resulting in approximately \$30 million annually in excess Section 31010 funds being available commencing in fiscal year 2008-2009; and

WHEREAS, the Chief Financial Officer of BATA has calculated the excess Section 31010 funds can be used to finance approximately \$500 million in eligible projects, which in turn means that \$80 million in funds under Streets and Highways Code sections 30913 and 31010(b) are available to fund the Doyle Drive project; and

WHEREAS, the BATA Oversight Committee met on November 12, 2008 to review the proposed MOU between MTC, the GGBHTD, and the SFCTA for the Doyle Drive project and the availability of funds for the Doyle Drive project; now, therefore, be it

RESOLVED, that the Doyle Drive project is an eligible project for funding under Streets and Highways Sections 30913 and 31010(b) because it is designed to reduce vehicular traffic congestion and improve bridge operations on the Bay Bridge, the Richmond Bridge, and the Carquinez Bridge because those bridges would suffer dramatic increases in traffic congestion and reduced operational efficiency if Doyle Drive became unusable in a seismic event; and, be it further

RESOLVED, that the Doyle Drive project is also a transit project because public transportation busses and vans and their passengers are dependent upon the use of Doyle Drive; and, be it further

RESOLVED, that BATA certifies that \$80 million in funds under Streets and Highways Code sections 30913 and 31010(b) are available to fund the Doyle Drive project; and, be it further

RESOLVED, that BATA authorizes the Executive Director or his designee to enter into such contracts and agreements and to take such further actions under Streets and Highways Code sections 30913 and 30914 as the Executive Director deems necessary or appropriate to implement an MOU between MTC, the GGBHTD, and the SFCTA for the Doyle Drive project as set forth substantially in the form set forth in Attachment A to this resolution and attached hereto and incorporated herein as though set forth at length, and be it further

RESOLVED, that any non-substantive changes to Attachment A shall be reviewed and approved as to form by BATA's Office of General Counsel.

BAY AREA TOLL AUTHORITY

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Bill Dodd, Chair

The above resolution was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in Oakland, California, on November 26, 2008.

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Attachment A  
BATA Resolution No. 82

Memorandum of Understanding between MTC, the Golden Gate Bridge, Highway and  
Transportation District, and the San Francisco Transportation Authority  
for the Doyle Drive Project.